

Message Text

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ACTION SNM-02

INFO OCT-01 ARA-06 ISO-00 SS-15 AID-05 L-03 DEAE-00

CIAE-00 INR-07 IO-10 JUSE-00 NSAE-00 TRSE-00 USIA-06

NSC-05 OES-03 OMB-01 HEW-02 SCA-01 DODE-00 AGR-05

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R 181216Z DEC 75

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 1271

INFO USCINCSO QUARRY HEIGHTS CZ

C O N F I D E N T I A L CARACAS 13151

FOR S/NM AMBASSADOR VANCE AND ARA DEPUTY ASSISTANT SECRETARY LUERS
FROM AMBASSADOR

E.O. 11652: GDS

TAGS: SNAR VE

SUBJECT: COMMENTS ON WHITE PAPER ON NARCOTICS

REF: A. STATE 253482 B. STATE 292160

1. WE WERE IMPRESSED BY THE THRUST OF THE WHITE PAPER ON DRUG ABUSE AND CONSIDER THE BALANCE BETWEEN SUPPLY AND DEMAND REDUCTION ABOUT RIGHT. WE ARE GENERALLY IN AGREEMENT WITH THE VIEWS EXPRESSED IN QUITO'S 8744 AND, FOR INSTANCE, EXPLICITLY ENDORSE THE CONCEPT THAT WE MUST ASSIST LATIN AMERICAN GOVERNMENTS IN MARIJUANA LAW ENFORCEMENT IN ORDER TO ENLIST THEIR COOPERATION ON DRUGS IN WHICH WE ARE INTERESTED. HOWEVER, WE WOULD CONSIDER IT UNNECESSARY TO CONTRIBUTE FURTHER USG RHETORIC TO THIS SUBJECT SINCE OUR ACTIONS ABROAD SHOULD SPEAK LOUDER THAN OUR WORDS.

2. WE SPECIFICALLY ENDORSE THE WHITE PAPER'S OBSERVATION THAT THE "CENTRAL INTELLIGENCE AGENCY PLAYS A VITAL ROLE IN THE OVERSEAS COLLECTION OF INTELLIGENCE..." AND WITH REGARD
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TO STRATEGIC INTELLIGENCE, SUPPORT THE STATEMENT THAT IN

ADDITION TO A NUMBER OF OTHER AGENCIES, "THE CIA...ALL HAVE IMPORTANT ROLES TO PLAY IN THE COLLECTION AND ANALYSIS OF INFORMATION." WE RECOGNIZE THE POINT MADE BY QUITO'S 8744 PARA 4(A) CONCERNING THE LEGAL PROBLEMS IN USING SENSITIVE INTELLIGENCE ASSETS. WE CONSIDER, HOWEVER, THAT THE PROPER UTILIZATION OF SUCH RESOURCES, WHILE PERHAPS LEADING TO FEWER PROSECUTIONS, SHOULD ALSO RESULT IN THE MAKING OF BETTER CASES IN THE ACQUISITION OF THE BETTER STRATEGIC INTELLIGENCE WE NEED SO MUCH.

3. WITH RESPECT TO THE DEPARTMENT'S RESPONSE TO THE WHITE HOUSE, WE WOULD SUGGEST THAT THE EMPHASIS BE ON THE CONTRIBUTION THAT STATE/AID CAN MAKE TO INSTITUTION-BUILDING ABROAD. WE WOULD PARTICULARLY URGE THE CREATION OF "NATIVE" TRAINING CENTERS IN THOSE COUNTRIES POSSESSING AN ADEQUATE TRAINING INFRASTRUCTURE. SUCH AN APPROACH BASED ON THE CONVERSION INTO SPANISH AND EXPORTATION OF OUR BASIC SIX-WEEK DEA COURSE SHOULD GREATLY EXPAND THE NUMBER OF POTENTIAL TRAINEES AND RESULT IN THE UTILIZATION OF STATESIDE TRAINING RESOURCES FOR THE ADVANCED TRAINING OF HIGHLY SELECTED LATIN LAW ENFORCEMENT OFFICIALS.

4. WITH SPECIFIC REFERENCE TO RECOMMENDATION 8, INTERNATIONAL, CHAPTER 3, "SUPPLY REDUCTION," ON THE CREATION OF A PERMANENT DEA/JUSTICE/STATE COMMITTEE UNDER THE CCINC TO COORDINATE EFFORTS TO SEEK U.S. JURISDICTION OVER FOREIGN DRUG TRAFFICERS THROUGH EXTRADITION OR EXPULSION, WE HAVE THREE SUGGESTIONS: A) SUCH A COMMITTEE SHOULD HAVE THE TASK OF REVIEWING AND OVERSEEING THE RE-NEGOTIATION OF MANY OF THE OUT-DATED EXTRADITION TREATIES IN FORCE IN LATIN AMERICA IN ORDER TO PROVIDE COVERAGE FOR NARCOTIC-RELATED CRIMES. B) THE COMMITTEE SHOULD ALSO STUDY THE FEASIBILITY OF A MODEL CONSPIRACY STATUTE WHICH COULD BE PROMOTED AMONG LATIN AMERICAN COUNTRIES SINCE THIS LEGAL CONCEPT IS NOVEL IN MOST LATIN AMERICAN SOCIETIES. WE WOULD PARTICULARLY RECOMMEND A LOOK AT BRAZILIAN LEGISLATION AND THE DELIBERATIONS OF THE BRAZILIAN SUPREME COURT WITH REGARD TO SCOCOZZA-VALIENTE. C) A SIMILAR STUDY SHOULD BE MADE OF LATIN AMERICAN ENTRAPMENT STATUTES WITH A VIEW TOWARD PERMITTING UNDERCOVER "BUYS" OF NARCOTICS SUBSTANCES, ALSO A NOVEL CONCEPT IN A CONSIDERABLE PORTION OF THE HEMISPHERE.

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5. WE SUPPORT RECOMMENDATION 6 INTERNATIONAL, CHAPTER 3, "SUPPLY REDUCTION", WHICH CALLS FOR ADDITIONAL EMPHASIS ON THE COLLECTION, ANALYSIS AND UTILIZATION OF OVERSEAS OPERATIONAL INTELLIGENCE. WE WOULD SUGGEST THAT INSTITUTION-BUILDING CAN PLAY A ROLE HERE THROUGH THE CREATION OF NATIONAL NARCOTICS INTELLIGENCE CENTERS IN THE MORE ADVANCED LATIN AMERICAN COUNTRIES WITH THE EVENTUAL AIM OF CONVERTING TO ADP. THIS WOULD REQUIRE AN OVERALL PLAN FOR THE HEMISPHERE WITH APPROPRIATE U.S.

TRAINING, UNIFORM SOFTWARE DESIGN AND PROVISION IN THE LONG TERM OF COMPATIBLE HARDWARE. THIS SUGGESTION IS MADE WITH THE REALIZATION THAT U.S.-SPONSORSHIP OF SUCH A SYSTEM IN SOME LATIN AMERICAN COUNTRIES MIGHT POSE HUMAN RIGHTS ISSUES.

6. WITH REGARD TO PROGRAM MANAGEMENT, WE HAVE THE FOLLOWING TWO SUGGESTIONS: A) WE CONTINUE TO FEEL THAT A MORE FORMAL INTERFACE IS REQUIRED BETWEEN STATE AND OTHER AGENCIES IN THIS FIELD. WE WOULD RECOMMEND THAT PERSONNEL FROM DEA, CUSTOMS AND AID BE INCORPORATED INTO THE DEPARTMENT AT THE S/NM LEVEL. WE WOULD ALSO SUGGEST THAT CONSIDERATION BE GIVEN TO A POLAD AT DEA HEADQUARTERS AND IN SOME REGIONAL OFFICES. B) AS A MEANS OF GIVING BOTH SYMBOLIC AND SERIOUS CONTENT TO OUR EMPHASIS ON INTERNATIONAL COOPERATION, CONSIDERATION SHOULD BE GIVEN TO THE ASSIGNMENT OF LATIN AMERICAN LAW ENFORCEMENT OFFICIALS TO DEA HEADQUARTERS AND TO SELECTED DEA OPERATIONAL OFFICES IN THE U.S. SIMILARLY, OUR PHILOSOPHY OF DEA AS AN ADVISORY INSTITUTION ABROAD RATHER THAN AS AN INDEPENDENT OPERATOR COULD BE SERIOUSLY ADVANCED THROUGH THE TDY ASSIGNMENT OF AGENTS TO SPECIFIC POLICE AGENCIES IN HOST COUNTRIES WITHOUT AFFECTING THEIR CURRENT OPERATIONAL CAPABILITY.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DRUG CONTROL, DRUG TRAFFIC, DRUG ABUSE, DOCUMENTS, FOREIGN POLICY POSITION
Control Number: n/a
Copy: SINGLE
Draft Date: 18 DEC 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975CARACA13151
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750440-0292
From: CARACAS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751229/aaaaazfc.tel
Line Count: 137
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SNM
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 STATE 253482, 75 STATE 292160
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 09 SEP 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <09 SEP 2003 by KelleyW0>; APPROVED <12 NOV 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: COMMENTS ON WHITE PAPER ON NARCOTICS
TAGS: SNAR, VE
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006